

MAR 10 2017

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

CLERK, U.S. DISTRICT COURT
By _____

Deputy
United States Court of Appeals
Fifth Circuit

No. 16-10312

FILED

February 16, 2017

Lyle W. Cayce
Clerk

D.C. Docket No. 4:15-CV-824 - **A**

PHILLIP TURNER,

Plaintiff - Appellant

v.

LIEUTENANT DRIVER, in his individual capacity; OFFICER GRINALDS,
Badge Number 3825, in his individual capacity; OFFICER DYESS, Badge
Number 2586, in his individual capacity,

Defendants - Appellees

Appeal from the United States District Court for the
Northern District of Texas, Fort Worth

Before WIENER, CLEMENT, and HIGGINSON, Circuit Judges.

J U D G M E N T

This cause was considered on the record on appeal and was argued by
counsel.

It is ordered and adjudged that the judgment of the District Court is
affirmed in part and reversed and remanded in part.

IT IS FURTHER ORDERED that plaintiff-appellant pay to defendants-
appellees the costs on appeal to be taxed by the Clerk of this Court.

EDITH BROWN CLEMENT, Circuit Judge, dissenting as to Parts III.A.2 & III.B.1.b.



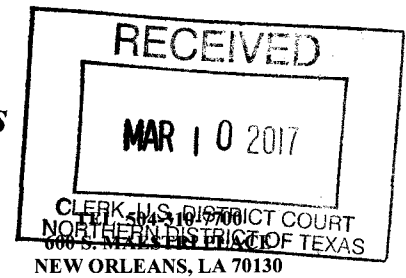
Certified as a true copy and issued
as the mandate on Mar 10, 2017

Attest:

John W. Cayce
Clerk, U.S. Court of Appeals, Fifth Circuit

United States Court of Appeals
FIFTH CIRCUIT
OFFICE OF THE CLERK

LYLE W. CAYCE
CLERK



March 10, 2017

Ms. Karen S. Mitchell
Northern District of Texas, Fort Worth
United States District Court
501 W. 10th Street
Room 310
Fort Worth, TX 76102

No. 16-10312 Phillip Turner v. Driver, et al
USDC No. 4:15-CV-824 - **A**

Dear Ms. Mitchell,

Enclosed is a copy of the judgment issued as the mandate and a copy of the court's opinion.

Sincerely,

LYLE W. CAYCE, Clerk

A handwritten signature in black ink, appearing to read "Shawn D. Henderson".

By: _____
Shawn D. Henderson, Deputy Clerk
504-310-7668

cc:

Mr. Kervyn Bryce Altaffer Jr.
Mrs. Lunbing Chen
Mr. Kenneth E. East
Mr. Luis Alfredo Galindo
Ms. Meagan Elizabeth Hassan
Mr. Dee Lee Thomas Jr.